

to the point where they can, if I read the bill right, toward the back, they can assign someone to handle that and make those decisions, I think is clearly a serious policy change for this body to be addressing today, and I would hope that we would, after a nice lunch, wake up and take a look at what LB 799 does because this is a big change with the committee amendments that strike...if you look at the one liner on it, it deals with drugs. If you read the bill after the committee amendments, it only deals with the issue of alcohol and driving while under the influence.

SPEAKER BARRETT: Thank you. Senator Wesely, do you care to discuss the amendment? Thank you. Senator Bernard-Stevens, on the amendment.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker. I would have to concur, I think, with Senator Hall on this particular aspect for some of the same reasons but a little bit different reasons in regards to the procedure as outlined in the bill. I think three would be much better than what Senator Beyer is trying to do on seven. But, Senator Beyer, would you yield to a question on the procedure so that I can clarify a couple of things in my mind.

SPEAKER BARRETT: Senator Beyer.

SENATOR BEYER: Yes.

SENATOR BERNARD-STEVENS: Senator Beyer, my understanding is if a person is arrested, they do a test and it comes out positive and/or they refuse to do a test, that they would then have 10 days to file a petition for a hearing, is that correct?

SENATOR BEYER: Yes, the arresting officer, who would issue them a 30-day temporary, why he would have 10 days then in which to ask for a hearing.

SENATOR BERNARD-STEVENS: Okay, I am just trying to do some simple mathematics and it is crude and simple which is why I am going to ask you to clarify it for me. If a person then waits and files the petition on the tenth day after the arrest, which would be legal under the law, that is ten days gone. Then if in my understanding, the administrative agency then, Department of Motor Vehicles, in this case, would then have 20 days before...they would have to have a hearing within 20 days. All